



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

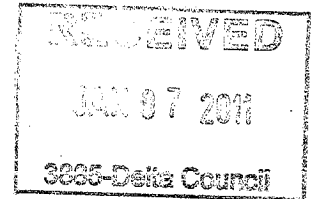
DIVISION OF LAND RESOURCE PROTECTION

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January 5, 2011

Terry Macaulay
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814



Subject: Notice of Preparation (NOP) for the Delta Plan
Draft Environmental Impact Report (DEIR): SCH # 2010122028

Dear Ms. Macaulay:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Delta Stewardship Council's NOP for the Delta Plan DEIR. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

Project Description

The fundamental purpose of the Delta Plan will be to meet the two coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The Delta Plan will define an integrated and legally enforceable set of policies, strategies, and actions that will serve as a basis for future findings of consistency by state and local agencies with regard to projects related to the Delta.

Agricultural Setting of the Project

As recognized in the "Delta as a Place: Agriculture White Paper" developed by the Delta Stewardship Council staff, the Delta is an area of intense agricultural activity, with some of the most productive soils in the State and the nation. Much of the farmland in the Delta is enrolled in the Williamson Act, which provides property tax reductions in exchange for maintaining land in agricultural use. The Williamson Act program allows cities and counties to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use, in return for reduced property taxes on the land. Nearly 367,000 acres of land within the legal Delta are under Williamson Act contracts and their restrictions (see Table 3-4 and Figure 3-3 of the White Paper). These contracts are of 10 or 20-year duration, carry forward with ownership changes, and renew each year.

Project Impacts on Agricultural Land

One of the primary components of the Plan is the potential use and/or conversion of large amounts of agricultural land for ecosystem restoration, flood management, or open space uses. Much of this agricultural land will also be under Williamson Act contracts, and subject to their restrictions and limits to uses related to commercial agriculture. Impacts of the proposed Project can be generally categorized as:

- Type, amount, and location of farmland conversion resulting directly and indirectly from project implementation.
- Impacts on current and future agricultural operations due to land-use conflicts.
- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely projects in the future.

The Division looks forward to continuing its participation with the Delta Stewardship Council in addressing these important issues and developing acceptable approaches to mitigating impacts on agricultural resources in the Delta region as this Project moves forward.

Thank you for giving us the opportunity to comment on this NOP. If you have questions regarding our comments, or require technical assistance or information on agricultural land preservation issues, please feel free to contact me at 801 K Street, MS 18-01, Sacramento, CA 95814; or by phone at (916) 322-5954, or email at dotis@conservation.ca.gov.

Sincerely,



Dan Otis
Program Manager
Williamson Act Program

cc: State Clearinghouse